Case 1:04-cv-01371-JJF Document 263-3 Filed 05/26/2006 Page 1 of 12

EXHIBIT C

Joseph Depumpo

From: Michael Headley [Headley@fr.com]

Sent: Thursday, September 22, 2005 10:45 PM

To: Joseph Depumpo

Cc: basdeblank@orrick.com

Subject: RE: PI-Fairchild: subpoenas to Intersil and James Beasom

Joe.

There seems to have been some of miscommunication with respect to the discovery we're all seeking. Power Integrations has not withdrawn any subpoena to Mr. Beasom. To the best of my knowledge, Fairchild has not withdrawn its subpoenas either. Rather than withdrawing anything, my e-mail to you of late last night instead noted that both parties were willing to work with you to reschedule the production and deposition dates, and I have re-copied the relevant portion of my e-mail for you here:

This e-mail will confirm our agreement that we will work with you regarding the return date for documents and the deposition called for by the subpoena to Mr. Beasom rather than holding him to the September 30 date listed on the face of the subpoena, provided that the subpoenas from Fairchild and Power Integrations stay on the same track. We will need to make progress toward resolving this matter, but we are certainly willing to work with you to accommodate Mr. Beasom and any Intersil employees' schedules. I ask that you extend us the same courtesy when it comes to scheduling.

Putting aside any miscommunications, though, it appears from your letter that you will work with us to get us the information we are seeking. If you will not produce Intersil documents to Power Integrations without a formal subpoena, though, I ask once again that you let me know as soon as possible so that we can square away that detail. Absent such a request, and in light of our communications, we will proceed with the understanding I take from our entire series of communications that you will produce responsive documents and things from both Mr. Beasom and Intersil, and provide Mr. Beasom for deposition, without any further formalities.

As such, please let us know when you hope to be able to produce responsive documents from Intersil and Mr. Beasom to both parties. Also let us know when you believe Mr. Beasom will be available for deposition after the production so that we can work with you to make the necessary arrangements.

I thank you for your attention to this matter.

Sincerely,

Michael R. Headley Fish & Richardson P.C. 500 Arguello St., Suite 500 Redwood City, CA 94063-1526 (650) 839-5139 (direct) (650) 839-5071 (fax)

This e-mail may contain confidential and privileged information. If you received it in error, please contact the sender and delete all copies.

From: Joseph Depumpo [mailto:jdepumpo@ShoreChan.com]

Sent: Thursday, September 22, 2005 2:56 PM **To:** Michael Headley; basdeblank@orrick.com

See Attached PDIORilev-01371-JJF

Document 263-3

Filed 05/26/2006

Page 3 of 1Page 2 of 2

Subject: FW: See Attached PDF File

Gentlemen.

Please see the attached letter.

From: Ecopy_DL@akingump.com [mailto:Ecopy_DL@akingump.com]

Sent: Thu 9/22/2005 4:52 PM

To: Joseph Depumpo

Subject: See Attached PDF File

IRS Circular 230 Notice Requirement: This communication is not given in the form of a covered opinion, within the meaning of Circular 230 issued by the United States Secretary of the Treasury. Thus, we are required to inform you that you cannot rely upon any tax advice contained in this communication for the purpose of avoiding United States federal tax penalties. In addition, any tax advice contained in this communication may not be used to promote, market or recommend a transaction to another party.

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

EXHIBIT D

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE.

POWER INTEGRATIONS, INC., a Delaware corporation,

Plaintiff,

C.A. No. 04-1371-JJF

FAIRCHILD SEMICONDUCTOR INTERNATIONAL, INC., a Delaware corporation, and FAIRCHILD SEMICONDUCTOR CORPORATION, a Delaware corporation,

Defendants.

CERTIFIED

VIDEOTAPED DEPOSITION OF ROBERT DAVID MOORE, Ph.D., pursuant to Defendants Amended Notice of Subpoena of Bob Moore Pursuant to Federal Rule of Civil Procedure 45 and Plaintiff's Notice of Deposition & Service of Subpoene, taken at the Holiday Inn, 9150 Baymeadows Road, Jacksonville, Duval County, Florida, on Friday, the 27th day of January, 2006, commencing at 10:38 a.m., before Helen A. Anderson, RPR, Notary Public in and for the State of Florida. JOB NO: 43483

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lf .	
1	APPEARANCES
2	
3	MICHAEL R. HEADLEY, Esquire
4	Fish & Richardson, P.C. 500 Arguello Street, Suite 500
5	Redwood City, California 94063 Attorneys for Plaintiff.
6	ACCOLNCYO 202 220000000000000000000000000000000
7	TIT Benefic
8	G. HOPKINS GUY, III, Esquire Orrick, Herrington & Sutcliffe, LLP 1000 Marsh Road
9	Menlo Park, California 94025 Attorneys for Defendants.
10	
11	JOSEPH DePUMPO, Esquire
12	Shore Chan Bragalone 325 St. Paul, Suite 4450
13	Dallas, Texas 75201
14	
15	ALSO PRESENT:
16	MICHAEL SHIELDS
17	ANTHONY CLAY, Videographer
18	
19	<u> </u>
20	
21	
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24	
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<u>C E R T I F I C A T E</u>

STATE OF FLORIDA)
COUNTY OF DUVAL)

I, Helen A. Anderson, Registered

Professional Reporter and Notary Public, certify
that I was authorized to and did stenographically
report the deposition of ROBERT DAVID MOORE, Ph.D.;
that a review of the transcript was requested; and
that the transcript is a true and complete record of
my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED this 6th day of February, 2006.

Helen A. Anderson, RPR

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20			22	16 A 500-volt Dielectric Isolation Process For Very High Voltage
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4	APPEARANCES FOR THE PLAINTIFF		3	matter of Power Integrations, Inc. versus
	MICHAEL R. HEADLEY, ESQUIRE		3 4	matter of Power Integrations, Inc. versus Fairchild Semiconductor International, Inc., et
4	MICHAEL R. HEADLEY, ESQUIRE Fish & Richardson, PC		3 4 5	matter of Power Integrations, Inc. versus Fairchild Semiconductor International, Inc., et al. This case is taking place in the United
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5 6 7 8	MICHAEL R. HEADLEY, ESQUIRE Fish & Richardson, PC 500 Arguello Street, Suite 500 Redwood City, California 94063		3 4 5 6 7 8	matter of Power Integrations, Inc. versus Fairchild Semiconductor International, Inc., et al. This case is taking place in the United States District Court, and the case number is 04-1371. Today's date is January 26, 2006, and the
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1 2 3 4 5	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE POWER INTEGRATIONS, INC., a Delaware corporation, Plaintiff, vs. CASE NO. 04-1371 FAIRCHILD SEMICONDUCTOR		1 2 3 4 5 6 7 8	INDEX OF PROCEEDINGS Video Deposition of John Prentice PAGE NO. Direct Examination by Mr. Guy Cross Examination by Mr. Headley 32
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8	SEMICONDUCTOR CORPORATION, a Delaware corporation,		11	NO. DESCRIPTION PAGE NO. 1 Notice and Subpoena from
10 11	Defendants.		12 13	Power Integrations 36 2 Subpoena from Fairchild 37
12 13 14 15 16 17 18 19 20 21 22 23 24 25	HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY Confidential videotaped deposition of JOHN PRENTICE, taken on behalf of all parties at 200 Rialto Place, Melbourne, Florida, beginning at 4:29 p.m. and ending at 5:35 p.m., on January 26, 2006, before PATRICIA A. MIGLIACCIO, RMR, CRR. Job No. 43198B		14 15 16 17 18 19 20 21 22 23 24 25	(Exhibits previously marked-referred to) 3 Beasom patent 173 28 4 Beasom patent 719 29 5 Ecklund patent 075 31 6 Handwritten analysis by Beasom 31 7 Description of invention 173 20 8 Engineering notebook (Confidential) 11
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1 2 3	APPEARANCES APPEARANCES FOR THE PLAINTIFF	Page Z	1 2 3	VIDEO OPERATOR: Here begins videotape number one of the deposition of John Prentice in the matter of Power Integrations, Inc. versus
4	MICHAEL R. HEADLEY, ESQUIRE		4 5	Fairchild Semiconductor International, Inc., et al.
5 6 7 8	Fish & Richardson, PC 500 Arguello Street, Suite 500 Redwood City, California 94063	- Conjugate to constitution	6 7 8	This case is in the United States District Court, and the case number is 04-1371. Today's date is January 26, 2006, and the
9 10 11	APPEARANCES FOR THE DEFENDANTS HOPKINS GUY, ESQUIRE Orrick, Herrington & Sutcliffe, LLP 1000 Marsh Road Menlo Park, California 94025		9 10 11 12	time is now 4:29 p.m. This deposition is taking place at 200 Rialto Place in Melbourne, Florida, and is being taken on behalf of the plaintiffs, Power Integrations, Inc., and the defendants,
12 13 14 15	APPEARANCES FOR INTERSIL JOSEPH DE PUMPO, ESQUIRE		13 14 15	Fairchild Semiconductor. The videographer is Jim Young employed by Sarnoff Court Reporters and Legal Technologies.
16 17	Shore Chan Bragalone, LLP 325 North St. Paul, Suite 4450 Dallas, Texas 75201		16 17	At this time, would counsel please state their appearances?
18 19 20	ALSO PRESENT: Michael Shields		18 19 20	MR. GUY: Hopkins Guy with Orrick, Herrington & Sutcliffe for defendants Fairchild. MR. HEADLEY: Michael Headley, Rich &
21	Jim Young, Video Specialist Samoff Court Reporters and Legal Technologies 388 Market Street, Fifth Floor		21 22	Richardson for Power Integrations. Also with me is Mike Shields, technical expert.
23 24 25	San Francisco, California 94111		23 24 25	MR. DE PUMPO: Joseph DePumpo, Shore, Chan & Bragalone now representing the witness John Prentice.

CONFIDENTIAL - ATTORNEYS' EYES ONLY

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<i>i</i> :	CERTIFICATE OF OATH
$\frac{1}{3}$	CERTIFICATE OF UALIT
3	STATE OF FLORIDA)
4 5	COUNTY OF BREVARD)
6	COUNTY OF DICE PRICE!
7	I, PATRICIA A. MIGLIACCIO, RMR, CRR, Court
8	Reporter, the undersigned authority, hereby
9	certify that the witness
10	John Prentice
11	personally appeared before me on January 26, 2006
12	and was duly sworn.
13	
14	WITNESS MY HAND AND OFFICIAL SEAL
15	this 26th day of January, 2006
16	at Melbourne, Florida.
17	Daniel Lyn
18	Produced I.D.: Personally Known:
19	Accompanied by Counsel: Mr. Joseph DePumpo, Esquire
20	
21 22	
122	Patrîcia A. Migliaccio, RMR, CRR
23	Notary Public, State of Florida at Large
22	Notary Certificate #DD033722
24	My Commission Expires: 7/16/05
25	•
1.	
]]	CERTIFICATE OF REPORTER
2	STATE OF FLORIDA)
3	COUNTY OF BREVARD)
4	
5	I, PATRICIA A. MIGLIACCIO, RMR, CRR, Court
6	Reporter, do hereby certify that I was authorized to
	and did stenographically report the deposition of
7	John Prentice; that a review of the transcript
8	was requested; and that the foregoing transcript.
9	pages 1 through 49 inclusive, are a true and correct
10	record of my stenographic notes.
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12	I FURTHER CERTIFY that I am not a relative.
13	employee, or attorney, or counsel of any of the
14	parties, nor am 1 a relative or employee of any of the
·	parties' attorney or counsel connected with the action.
15	nor am I financially interested in the action
16	Dated this 7th day of January, 2006.
17	
18	
19 20	
21	
22	Patricia A. Migliaccio Certified Realtime Reporter
23	Registered Ment Reporter
24 25	
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